

Calendar No. 16

108TH CONGRESS
1ST SESSION**S. 214****[Report No. 108–8]**

To designate Fort Bayard Historic District in the State of New Mexico
as a National Historic Landmark, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 23, 2003

Mr. BINGAMAN (for himself and Mr. DOMENICI) introduced the following bill;
which was read twice and referred to the Committee on Energy and Nat-
ural Resources

FEBRUARY 11, 2003

Reported by Mr. DOMENICI, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To designate Fort Bayard Historic District in the State
of New Mexico as a National Historic Landmark, and
for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fort Bayard National
5 Historic Landmark Act”.

1 **SEC. 2. CONGRESSIONAL FINDINGS.**

2 The Congress finds that—

3 (1) Fort Bayard, located in southwest New
4 Mexico, was an Army post from 1866 until 1899,
5 and served an important role in the settlement of
6 New Mexico;

7 (2) among the troops stationed at the fort were
8 several “Buffalo Soldier” units who fought in the
9 Apache Wars;

10 (3) following its closure as a military post, Fort
11 Bayard was established by the War Department as
12 general hospital for use as a military sanatorium;

13 (4) in 1965 the State of New Mexico assumed
14 management of the site and currently operates that
15 Fort Bayard State Hospital;

16 (5) the Fort Bayard historic site has been listed
17 on the National Register of Historic Places in rec-
18 ognition of the national significance of its history,
19 both as a military fort and as an historic medical fa-
20 cility.

21 **SEC. 3. FORT BAYARD NATIONAL HISTORIC LANDMARK.**

22 (a) DESIGNATION.—The Fort Bayard Historic Dis-
23 trict in Grant County, New Mexico, as listed on the Na-
24 tional Register of Historic Places, is hereby designated as
25 the Fort Bayard National Historic Landmark.

26 (b) ADMINISTRATION.—

1 (1) Consistent with the Department of the Inte-
 2 rior's regulations concerning National Historic
 3 Landmarks (36 C.F.R. part 65), designation of the
 4 Fort Bayard Historic District as a National Historic
 5 Landmark shall not prohibit under Federal law or
 6 regulations any actions which may otherwise be
 7 taken by the property owner with respect to the
 8 property.

9 (2) Nothing in this Act shall affect the adminis-
 10 tration of the Fort Bayard Historic District by the
 11 State of New Mexico.

12 **SEC. 4. COOPERATIVE AGREEMENTS.**

13 (a) **IN GENERAL.**—The Secretary, in consultation
 14 with the State of New Mexico, may enter into cooperative
 15 agreements with appropriate public or private entities, for
 16 the purposes of protecting historic resources at Fort Bay-
 17 ard and providing educational and interpretive facilities
 18 and programs for the public. The Secretary shall not enter
 19 into any agreement or provide assistance to any activity
 20 affecting Fort Bayard State Hospital without the concur-
 21 rence of the State of New Mexico.

22 (b) **TECHNICAL AND FINANCIAL ASSISTANCE.**—The
 23 Secretary may provide technical and financial assistance
 24 with any entity with which the Secretary has entered into

1 a cooperative agreement under subsection (a) in further-
 2 ance of the agreement.

3 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

4 There is authorized to be appropriated such sums as
 5 may be necessary to carry out this Act.

6 **SECTION 1. SHORT TITLE.**

7 *This Act may be cited as the “Fort Bayard National*
 8 *Historic Landmark Act”.*

9 **SEC. 2. FORT BAYARD NATIONAL HISTORIC LANDMARK.**

10 (a) *DESIGNATION.*—*The Fort Bayard Historic Dis-*
 11 *trict in Grant County, New Mexico, as listed on the Na-*
 12 *tional Register of Historic Places, is hereby designated as*
 13 *the Fort Bayard National Historic Landmark.*

14 (b) *ADMINISTRATION.*—

15 (1) *Designation of the Fort Bayard Historic Dis-*
 16 *trict as a National Historic Landmark shall not pro-*
 17 *hibit any actions which may otherwise be taken by*
 18 *the property owner with respect to the property.*

19 (2) *Nothing in this Act shall affect the adminis-*
 20 *tration of the Fort Bayard Historic District by the*
 21 *State of New Mexico.*

22 **SEC. 3. COOPERATIVE AGREEMENTS.**

23 (a) *IN GENERAL.*—*The Secretary, in consultation with*
 24 *the State of New Mexico, may enter into cooperative agree-*
 25 *ments with appropriate public or private entities, for the*

1 *purposes of protecting historic resources at Fort Bayard*
2 *and providing educational and interpretive facilities and*
3 *programs for the public. The Secretary shall not enter into*
4 *any agreement or provide assistance to any activity affect-*
5 *ing Fort Bayard State Hospital without the concurrence*
6 *of the State of New Mexico.*

7 (b) *TECHNICAL AND FINANCIAL ASSISTANCE.—The*
8 *Secretary may provide technical and financial assistance*
9 *with any entity with which the Secretary has entered into*
10 *a cooperative agreement under subsection (a).*

11 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

12 *There are authorized to be appropriated such sums as*
13 *may be necessary to carry out this Act.*

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